

REGULAR MEETING of the Burrillville Town Council held Wednesday, December 10, 2014 at 7:00 P.M. in Council Chambers, Town Building, 105 Harrisville Main St., Harrisville for and within the Town of Burrillville.

PRESENT: Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place

MEMBERS ABSENT: Councilor Donald A. Fox was excused

1. Council President John F. Pacheco III led those present in pledging allegiance to the flag.

2. VOTED to accept the minutes of the regular meeting held November 12, 2014, the special meeting held November 24, 2014 and the organizational meeting held November 25, 2014 and dispense with the reading of said minutes.

Motion by Councilor Nancy F. Binns. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

3. Public Comment: None

4. General Good and Welfare of the Town of Burrillville

Councilor Nancy F. Binns congratulated the Burrillville High School Football team on a no-loss season and on winning the division title.

Council President John F. Pacheco III announced the arrival of Santa at Stillwater Heights scheduled for December 13, 2014 and commented on the planned activities.

5. Special Business:

14-251 VOTED to grant an annual junk collection license to Republic Services, Inc. 1080 Airport Road, Fall River, MA 02720 to apply throughout the Town of Burrillville.

Motion by Councilor Nancy F. Binns. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

14-252 MOTION to grant an Annual Hawkers and Peddlers License to the following, to apply throughout the Town of Burrillville

- 1) Arteaga, Alejandro d/b/a Palagi's Ice Cream, 55 Bacon Street, Pawtucket**
- 2) Bouchard, Bob & Joyce d/b/a Rhode Island Kona LLC, 4 Cider Lane, Greenville**
- 3) Nealis, Kate d/b/a Noble Knots, 48 Bainbridge Avenue, Providence**
- 4) Souza, David d/b/a Kona Ice Cumberland, 30 Brookdale St., Cumberland**

Motion by Councilor David J. Place. Seconded by Councilor Nancy F. Binns. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

6. Petitions: None

7. Public Hearing: None

8. Unfinished Business:

14-243 VOTED to open the correspondence from Andrea Hall, Recycling Coordinator/Program and Special Project Assistant, regarding the 2014 Holiday Card Contest.

Motion by Councilor David J. Place. Seconded by Councilor Nancy F.

Binns. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

Winners Emma Desjardins, Kianna Gaffney, Nathan Tessier, Grace Fitzsimmons and Alicia Gauvin were announced.

9. New Business:

VOTED to add an item to the agenda pursuant to the Open Meetings law, §42-46-6 Notice, that is: to consider and discuss several letters and resolutions received from various Rhode Island communities regarding a request that the State Planning Council not vote on the adoption of RhodeMap RI at their December 11, 2014 meeting but allow Rhode Island municipalities more time to study the document.

Motion by Councilor David J. Place. Seconded by Councilor Nancy F. Binns. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

Discussion: Concerns related to RhodeMap RI were discussed. The

item would be added to the next agenda for action. Meanwhile, the Town Clerk would contact the Statewide Planning Council asking for a delay in their vote due to the concerns of many cities and towns.

14-253 Correspondence from Thomas J. Kravitz, Town Planner, regarding the Planning Board findings in accordance with RIGL §45-21-51 relative to recommended changes to Revised General Ordinances, Town of Burrillville, Rhode Island, 2004, as revised, Sec. 30-71. - Zoning district uses as it relates to Wholesale business and storage of nonflammable and nonexplosive material in a building.

VOTED to refer to the Ordinance Subcommittee.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

14-254 Correspondence from Council President John F. Pacheco III regarding the School Committee's request to schedule the annual pre-budget meeting.

Motion by Councilor David J. Place. Seconded by Councilor Nancy F. Binns. The vote was unanimous by the six members present. Voting

in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

VOTED to schedule the meeting.

Motion by Councilor David J. Place. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

14-255 VOTED to open the notification and solicitation of comments for proposed construction of a new field training area for the Rhode Island Army National Guard.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

Discussion: Concerns related to the proposed field training area were

discussed.

VOTED to request that the National Guard extend the timeframe for us to put together an opinion and comments and to request a member of the Guard come up and provide the Council a briefing, to be scheduled at the call of the Chair.

Motion by Councilor David J. Place. Seconded by Councilor Nancy F. Binns. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

14-256 VOTED to open the proposed changes to the Code of Ordinances of the Town of North Smithfield , Chapter 15, §15-6, entitled “One-way street” as it relates to Mowry Road. Note: Mowry Road passes through both the towns of Burrillville and North Smithfield.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

Discussion: The proposed changes in North Smithfield were reviewed.

VOTED to receive and file.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

14-257 VOTED to refer to the Screening Subcommittee the application for reappointment to the Burrillville Extended Care Division Board of Directors from Juliette Lopez.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

14-258 VOTED to open the resolution of the Town Council of the Town of Hopkinton urging passage of legislation by the Rhode Island

General Assembly during the 2015 legislative session repealing the tax on Social Security benefits.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

Discussion: The matter was discussed.

VOTED to receive and file.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

14- 259 VOTED to support the resolution of the Town Council of the Town of Richmond designating the month of November 2014 as “Pancreatic Cancer Awareness Month”.

Motion by Councilor Nancy F. Binns. Seconded by Councilor David J.

Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

10. Town Clerk/Communication:

14-260 VOTED to receive and file the correspondence from Michael C. Wood, Town Manager, regarding his appointment of an acting Town Manager during any periodic absences from the state between January 1, 2015 and December 31, 2016.

Discussion: It was noted that John P. Mainville, Finance Director, would serve as Acting Manager during any absences from the state by Mr. Wood during the timeframe of January 1, 2015 to December 31, 2016.

Motion by Councilor David J. Place. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

14-261 VOTED to receive and file the correspondence from the Rhode Island Department of Transportation regarding the replacement of the

Shippee Bridge No. 307.

Motion by Councilor Nancy F. Binns. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

14-262 VOTED to open the correspondence from the Rhode Island Department of Transportation regarding the road improvements: Rhode Island Contract No. 2006-EH-009.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

Discussion: The correspondence from the Department of Transportation explained, in part:

In the process of developing the PS&E (final) submission for the subject project, it became apparent that right-of-way acquisition at various locations is needed to construct new sidewalks and also that

environmental permitting is necessary for the bridge repair at Clear River. While we are continuing to work through these issues, they will result in a delay of advertising until Winter/Spring 2016. However, we would like to advance the portion from Douglas Turnpike (Route 7) to approximately 0.5 miles northerly, as a separate contract, and pending funding availability, advertise In Spring 2015.

VOTED to support the Department of Transportation's plans regarding Route 7, Douglas Pike.

Motion by Councilor Nancy F. Binns. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

14-263 VOTED to open the State of Rhode Island State Planning Council Notice of Public Hearings relative to consideration of adoption of a draft plan entitle "Solid Waste 2038".

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor

Donald A. Fox was excused.

VOTED to receive and file.

Motion by Councilor David J. Place. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

14-264 VOTED to receive and file the correspondence from the State of Rhode Island Department of Environmental Management regarding a remedial action work plan at Stillwater Mill Complex – Playground, 75 Tinkham Lane (Map 160/portion of Lot 69).

Motion by Councilor David J. Place. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

14-265 VOTED to receive and file the correspondence from Denise Panichas, Executive Director, Samaritans of Rhode Island, regarding the FY2015 special appropriation of \$500.00.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

11. VOTED to receive reports #1 through 26, as follow:

- 1. Town Treasurer: Reports of July, August, September and October 2014**
- 2. Burrillville Sewer Commission: No reports**
- 3. Tax Collector: Reports of October and November 2014**
- 4. Department of Public Works: No report**
- 5. Chief of Police: Report of October 2014**
- 6. Office of Building Official: Reports of October and November 2014**
- 7. Animal Control Officer: Report of October 2014**
- 8. Parks and Recreation Department: No report**
- 9. Burrillville Extended Care: No report**
- 10. Emergency Management Agency: No report**
- 11. Information Systems Department: Report of November 2014**
- 12. Burrillville Housing Authority: Meeting of October 8, 2014**
- 13. Planning Board/Town Planner: Meetings of October 6 and November 3, 2014**
- 14. Burrillville Conservation Commission: Meetings of May 12, June**

10 & July 8, 2014

15. Recreation Commission: Meetings of September 8 and October 14, 2014

16. Ordinance Subcommittee: No report

17. Redevelopment Agency: Meetings of September 23 and October 14, 2014

18. B-PAC: No report

19. Personnel Board: Meetings of October 14 and November 5, 2014

20. Screening Subcommittee: No report

21. Budget Board: No reports

22. Burrillville School Committee: Meeting of October 14, 2014

23. Rubbish & Recycling Committee: No report

24. Board of Canvassers: Meeting of October 14, 2014

25. Juvenile Hearing Board: No report

26. Burrillville Extended Care Board of Directors: No report

Motion by Councilor Nancy F. Binns. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

12. Additional New Business:

14-266 VOTED to grant the request for executive session from

Michael C. Wood, Town Manager, pursuant to Rhode Island Open Meeting Law:

§42-46-5(a)(2) for discussion and action relative to employee pension litigation

§42-46-5 (a)(5) for review, discussion and considerations related to the acquisition, sale and exchange of real property (Assessors Map 179, Lots 89 and 90

§42-46-5 (a)(5) for review, discussion and considerations related to the acquisition, sale and exchange of real property (Assessors Map 174, Lots 001 and 002)

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

There was a brief recess before executive session.

The Town Council returned to open session at 9:46 P.M.

VOTED to seal the minutes of executive session noting that three votes had been taken.

Motion by Councilor David J. Place. Seconded by Councilor Nancy F.

Binns. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

VOTED to adjourn at 9:46 P.M.

Motion by Councilor David J. Place. Seconded by Councilor Nancy F. Binns. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was excused.

The meeting was recorded.

Louise R. Phaneuf, Town Clerk